

Serial Nr.: 09/977,589
Art Unit: 2835

UPA-01208

REMARKS

In the Office Action, claims 1 and 3 are rejected under 35 U.S.C. §102(e) as being anticipated by Wang, and claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Wang in view of Yu.

Claim 1 is now amended to particularly point out and distinctly claim the subject matter of the invention to overcome the rejection under 35 U.S.C. §102(e). Specifically, claim 1 recites that the safety switch comprises an E-shaped connection member having upper and lower recesses; wherein said bimetal plate has a second end movably located in said lower recess, and said E-shaped connection member has a top end above said upper recess for engaging with a hole formed in said lug.

The E-shaped connection member having upper and lower recesses is neither disclosed nor suggested in the cited prior arts. Wang's connection member 8' shown in Fig. 7 is not an E-shaped. The structure of the E-shaped connection of the instant invention is much simpler and easier to manufacture. Yu does not disclose an E-shaped connection member either.


From the foregoing discussion, it is clear that the instant invention differs from the cited prior arts. The physical difference results in different effects and is not obvious. The amended claim 1 has overcome the rejection under 35 U.S.C. §102(e) and should be patentable. By virtue of dependency, claims 2 and 3 should also be patentable. The entire specification has been carefully amended to correct the unclear terms pointed out by the examiner and a few other editorial and grammatical errors. It should now comply with the

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requirements set forth in 35 U.S.C. 112. Prompt and favorable reconsideration of the application is respectfully solicited.

Respectfully submitted,



Jason Z. Lin
Agent for Applicants
Reg. No. 37,492
(408) 867-9757

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